



RECEIVED

JAN 29 1999

South Central District

.....  
Excel Industries, Inc.  
.....  
P.O. Box 7000  
.....  
Hesston, Kansas  
...  
67062-2097  
.  
316-327-4911

January 28, 1999

Mr. Gil Perez, CHMM  
Waste Management Programs-Bureau of District Operations  
Kansas Department of Health & Environment  
South Central District Office  
130 S. Market, 6th Floor  
Wichita, KS 67202-3802

Re: Notice of Compliance/Non-Compliance, Fourth Report

Dear Mr. Perez;

Citation

Description of Violation

- |                         |   |
|-------------------------|---|
| 1. KAR 28-31-4(b)(1)(A) | Need to determine waste status of (3) drums in storage (blue) |
|-------------------------|---|

Safety-Kleen sampled the third drum of material however never returned with authorization nor approval to ship this waste. This material was subsequently used up with a partial drum of Part A. This is complete. *okay*

- |                                 |   |
|---------------------------------|---|
| 6 X 7. KAR 28-31-4/40CFR 265.16 | Training Program - need to develop specific Hazardous Waste Management Training Module. Send copy of training program & conduct annual training <i>continue</i> |
|---------------------------------|---|

Answer: I will be training Excel Industries' employees after the program is written. I have enclosed copies of certificates I have earned over the years @ my job & as a volunteer firefighter. The two largest qualifiers are my position as Fire Chief for the City of Hesston & my earning of the Certified Facility Environmental Professional certificate with the Association for Facilities Engineering organization. I also have attended numerous workshops with K.D.H.E. as other certificates show (see exhibit A, 48 pages).

I did not make the deadline of February 27, 1999 & will need approximately 30 additional days.

- |                             |  |
|-----------------------------|--|
| 8. KAR 28-3-4/40 CFR 265.52 | Contingency Plan - need to update address E.C., need to include evacuation route signals. Send revised copy of Contingency Plan when completed |
|-----------------------------|--|

Answer: The Hazardous Waste Generator Contingency Plan for Excel Industries has been rewritten, dated January 27, 1999 (see exhibit A)

RCRA



551339

pages). All portions of this plan are not complete. I will need an extension to accomplish this hopefully by the end of February, 1999.

I will be sending another update in approximately 30 days.

Should you have any further questions please feel free to contact me @ 316-327-1211.

A handwritten signature in cursive script, appearing to read "Lee Peters".

Lee Peters  
Facilities Manager  
Excel Industries, Inc.  
200 South Ridge Road  
Hesston, KS 67062











































































































# EXHIBIT B

## EXCEL INDUSTRIES, INC. HAZARDOUS WASTE GENERATOR CONTINGENCY PLAN

JANUARY 27, 1999

This Contingency Plan is submitted in compliance with 40CFR 265.52 - 40CFR 265.56

This Plan contains nine parts:

1. General Information
2. Emergency Coordinators
3. Implementation of Contingency Plan
4. Emergency Response Procedures
5. Emergency Equipment
6. Coordinator Agreements
7. Evacuation plan
8. Required Reports
9. Contingency Plan Holders

### 1. General Information

\*EPA I.D. No.: KSD007237290

\*Name: Excel Industries, Inc.

\*Location: 200 South Ridge Road, Hesston, KS 67062

\*Telephone No.: (316) 327-4911

\*Operator: Paul Mullet, President

██████████ ██████████ ██████████ ██████████  
Telephone: (316) 327-1115 (Office)  
██████████ (Home)

Ex. 6 PII

\*Type of Facility: Manufacturer of industrial & Commercial Turf & Grounds Maintenance Equipment as well as Roll Over Protective Structures (R.O.P.S.) for Industrial Excavation Equipment.

### \*Description of Treatment, Storage, and/or Disposal Activities:

-Waste Methyl Propyl Ketone & Waste Urethane Paint (jello type & liquid solvents) is collected in (55) gallon drums. This waste is hazardous because of it's flash point. This waste is generated through a process from washing and rinsing paint guns & related application equipment for urethane paint. This material is picked up by Safety-Kleen, Inc.

-Waste urethane paint filter media may be collected in (55) gallon drums. This waste is not a hazardous waste. This waste is collected from the primary & top coat paint booths during filter

changes. This material is only collected if there is a backlog of filter material to be burnt. This material or it's ashes can be taken to the Harvey County Landfill when they are generated.

- Waste Naptha (Mineral Spirits) is contained in (15) gallon drums. This waste is hazardous because it is a combustibile liquid. This waste is located in parts wash vats provided by Safety-Kleen, Inc. The vats have circulating pumps on them which recycle the liquid filtering out contaminants. This material is picked up & replenished by Safety-Kleen, Inc. Contaminants are removed & liquid replenished from these systems every (8) weeks.

- Waste Combustible Liquid is collected in a (5) gallon container. This waste is hazardous because of it's flash point. The waste is collected from a self contained wash stand furnished by Safety-Kleen, Inc. used to clean paint guns & related equipment. This material is picked up & replenished by Safety-Kleen, Inc. Contaminants are removed & liquid replenished from these systems every (4) weeks.

- Waste Liquid Paint (from air dry or baked enamel paint) is collected in (55) gallon drums. This waste is hazardous because of it's flash point. This waste is collected from the residue remaining during color or drum change. This material is picked up by Safety-Kleen, Inc. when it is generated.

- Waste Thinner (D100 or D150 or Mineral Spirits) is collected in (55) gallon drums. This waste is hazardous because of it's flash point. This waste is collected from the cleaning operations such as cleaning paint guns, paint pots & related equipment. This material is picked up by Safety-Kleen, Inc. when it is generated.

- Waste Gasoline and Water is collected in (55) gallon drums. This waste is hazardous because of it's flash point. This waste is collected when gasoline tanks on our products become contaminated with rust and water. This material is picked up by Safety-Kleen, Inc. when it is generated.

- Waste Antifreeze and Oil is collected in (55) gallon drums. This waste is a controlled waste because it contains ethylene glycol. This waste is collected when antifreeze and oil are drained from turf equipment due to production reasons. This material is picked up by Safety-Kleen, Inc. when it is generated.

- Waste Ashes are collected in (55) gallon drums. This waste is not a hazardous waste. This waste is collected from a process which burns paint off of paint hooks. The paint is burned off these hooks so they can be reused. Additional processes which generate these ashes is the burning of paint filter media. The ashes are taken to the Harvey County Landfill when they are generated.

- Used Batteries are collected on pallets. These batteries are not a hazardous waste. Used batteries come from Material Handling equipment. Batteries are stored and picked up by

Ash Battery Systems or GNB Technologies or Auto Castings  
Recovery when they are generated.

- Used Oil is collected in a "USED OIL" bulk tank. This waste is not a hazardous waste. This waste is collected from vehicle & equipment maintenance. This material is picked up by Safety-Kleen, Inc. when it is generated.
- Used Coolant is collected in a "USED COOLANT" bulk tank. This waste is not a hazardous waste. This waste is collected from the sumps of production machines like drill presses, surface grinders & metal cutting saws. This material is picked up by Safety-Kleen, Inc. when it is generated.
- Used Tires are collected on pallets. These tires are not a hazardous waste. This waste is collected from used equipment. This material is transported to the Harvey County landfill when it is generated.
- Used fluorescent lamps are collected in boxes supplied by Safety-Kleen. This waste is a controlled waste because it contains mercury. This waste is collected when fluorescent lamps from light fixtures are changed in our facility. This material is picked up by Safety-Kleen when it is generated.

\*Facility Site Plan: See Diagram on next page. Drawing No.: FACILITY-12

## 2. Emergency Coordinators

### \*Primary Emergency Coordinator

Lelyn Peters, Facilities Manager

██████████ ██████████  
Telephone (316) 327-1211 (Office)  
██████████ (Home)

Pager ██████████ (Excel's)

Fire Department Pager ██████████

Ex. 6 PII

### \*Alternate Emergency Coordinator

Richard Blouin, Maintenance Supervisor

██████████ ██████████ ██████████ ██████████  
Telephone (316) 327-1181 (Office)  
██████████ (Home)

Pager ██████████ (Excel's)

-The emergency coordinators can appoint fellow employees to assist them in the event of an emergency.

-The emergency coordinator serves as chief of the emergency crew

-The above named coordinators have received vital emergency response training, are familiar with the waste generation process and have had additional fire or first aid training.

-The above named coordinators are always "on call", they may be contacted by telephone or by an internal paging system.

### 3. Implementation of the Contingency Plan

\*It will be the duty of the emergency coordinator to implement this contingency plan should an accident threaten human health or the environment.

\*Depending upon the degree of seriousness, the following potential emergencies might call for implementation of this contingency plan:

-Punctured or ruptured drum containing:

-Waste Methyl Propyl Ketone & Waste Urethane Paint

-Waste Naptha (Mineral Spirits)

-Waste Combustible Liquid (Paint Gun Cleaning Station)

-Waste Liquid Paint (Air Dry or Baked Enamel)

-Waste Thinner (Solvents)

-Waste Gasoline & Water

-Spilled or ruptured drum containing:

-Waste Antifreeze & Oil

-Waste ashes

-Spilled or ruptured batteries

-Spilled or ruptured bulk "USED OIL" tank

-Fire in the area of the paint pump house where wastes are gathered during drum filling operations

-Fire in the area of the where wastes are gathered prior to the 90 day shipping requirement

### 4. Emergency Response Procedures

\*Notification

-Any employee discovering a fire or hazardous materials release, as indicated in Section 3, must immediately notify his/her supervisor and the emergency coordinator.

-In case of a fire in the pump house or the immediate area the supervisor is to activate the fire alarm. All employees are to evacuate the building. The supervisor or emergency coordinator will call the Hesston Fire Department @ 9-1-1 with vital information and have them respond. He/she will then proceed to the hazard area & contain the fire with fire extinguishers.

-In case of a fire in the 90 day holding area the

supervisor or emergency coordinator will call the Hesston Fire department @ 9-1-1 with vital information and have them respond. At this point it has been determined that plant wide evacuation is not necessary. He/she will then proceed to the fire with fire extinguishers.

-In case of a hazardous materials release in the hazardous waste filling area or the 90 day holding area, the supervisor will inform the emergency coordinator of the situation. A response team consisting of trained personnel from the Maintenance Department will respond & clean up the affected area.

-All employees hearing the fire alarm must immediately evacuate the building from the nearest means of egress other than the affected area. No employee will be allowed to reenter the building until the "all clear" is given by the emergency coordinator.

-The emergency coordinator will evaluate each such situation and notify the appropriate parties identified in Section 6.

-The emergency coordinator will call the National Response Center (800-424-8802) and report the incident. The report will include the following:

- \*Name and telephone number of the reporter.

- \*Name & address of the facility.

- \*Time & type of incident (i.e. spill occurred @ 10:00 A.M.).

- \*Identification & quantity of materials involved (i.e. 60 gallons of "Waste Flammable Liquid").

- \*The extent of injuries (i.e. one victim with multiple trauma & skin rash).

- \*The possible hazards to the environment & human health outside this facility (i.e. possible contamination of ground water).

-The emergency coordinator will take a head count of all persons in the affected area to determine whether all employees are accounted for.

#### \*Containment & Control

-The emergency coordinator will take all necessary measures to contain all hazardous conditions & to prevent it's spread to surrounding property areas.

-In case of a spill, absorbent material will be placed on the spill. All affected material (i.e. contaminated soil &

absorbent material) will be considered a hazardous waste.

-While handling material from a hazardous waste spill, protective clothing must be worn. Those pieces of apparel are: rubber boots, rubber apron, rubber sleeved gloves & a face shield.

**\*Follow Up Actions**

-Following containment & control of the emergency, the emergency coordinator will provide for collection of the hazardous waste & contaminated soil, water or other materials.

-The emergency coordinator will ensure that all emergency apparel is cleaned & placed back in service. This equipment will be checked & replace if necessary.

-The emergency coordinator will remove from service & replace any fire extinguishers which have been discharged. The fire extinguishers will be replaced into positions from which they were originally removed.

-The emergency coordinator will investigate the cause of the spill, rupture or fire & will take steps to prevent a reoccurrence of such or similar incidents.

-The emergency coordinator will make sure that the cause of the emergency has been eliminated & the clean-up and restoration has progressed to the point of not jeopardizing the health & safety of the employees, and that E.P.A., K.D.H.E, & other local authorities have been notified, before permitting resumption of operations affected by the emergency.

**5. Emergency Equipment**

\*All areas of this plant have access to 20A10BC rated dry chemical fire extinguishers.

\*All areas of this plant have access to absorption material for spill clean-up.

\*Shovels & squeegees are available for cleanup from the Maintenance Department.

\*The Hesston Fire Department is at our disposal 24 hours per day. It is a well trained & organized group of firefighters dedicated for the purpose of fighting & preventing fires. They have also been trained to the operations level in hazardous materials. Mutual aid agreements have been made with surrounding Fire Departments should additional help be needed.

\*The Hesston Ambulance Department is also at our disposal 24 hours per day. This organization is equipped and well trained to respond to emergencies of any sort. The response time for both departments is minimal.

\*The paint pump house is covered by an automatic sprinkler system which when activated sends an alarm to the Harvey County Communications Center in Newton, Kansas. The Hesston Fire & Ambulance Departments are dispatched from there.

\*There is a "Y" connection on the north side of the Plant #1 building connected to the automatic sprinkler system which can be used by the Hesston Fire department to boost the line pressure in the sprinkler system from 45 psi to 200 psi.

\*This facility is equipped with two fire hydrants which can be used by the Hesston Fire department for additional water as needed during a fire.

\*The Hesston Fire department is equipped with foam agents & equipment to apply foam to liquid fires.

\*This plant is equipped with First Aid Stations & trained First Aid personnel. Trained First Aid personnel are located in all departments throughout the plant.

\*An eye wash station with a shower is located along the east wall inside the Plant #1 facility. Additional eye wash stations are located throughout the facilities.

\*The Safety Committee meets monthly to discuss safety conditions throughout all departments.

\*A First Aid vehicle is available to transport individuals to and from doctor's office.

#### 6. Coordination Agreements

##### \*Hesston Fire Department (Telephone 9-1-1)

-The Hesston Fire Department has received a copy of this Contingency Plan.

-The Hesston Fire Department has received special training on the handling of hazardous materials & fighting liquid fires.

-The Hesston Fire Department has direct communication capabilities, via two way radio, with the Hesston Police Department, the Hesston Ambulance Department, Harvey County Dispatch & the Harvey County Emergency Management Coordinator.

-The Hesston Fire Department has conducted several preplanning sessions throughout their facility.

##### \*Hesston Police Department (Telephone 9-1-1)

-The Hesston Police Department has received a copy of this contingency plan.

-The Hesston Police Department has direct communication capabilities, via two way radio, with the Hesston Fire



Department, the Hesston Ambulance Department, Harvey County Dispatch & the Harvey County Emergency Management Coordinator.

\*Hesston Ambulance Department (Telephone 9-1-1)

- The Hesston Ambulance Department has a copy of this contingency plan.
- The Hesston Ambulance has received special training on handling hazardous materials and the treatment of exposures to hazardous materials as well as burns from fires.
- The Hesston Ambulance Department has direct communication capabilities, via two way radio, with the Hesston Fire Department, the Hesston Police Department, Harvey County Dispatch & the Harvey County Emergency Management Coordinator.

\*Harvey County Emergency Management Coordinator (Telephone 9-1-1)

- The Harvey County Emergency Management Coordinator has received a copy of this contingency plan.
- The Harvey County Emergency Management Coordinator has received special training on hazardous materials & the treatment of exposures to hazardous materials as well as burns from a fire.
- The Harvey County Emergency Management Coordinator has direct communication capabilities, via two way radio, with the Hesston Fire Department, the Hesston Police Department, Harvey County Dispatch & the Hesston Ambulance Department.

\*Newton Medical Center (Telephone 316-283-2700)

- Newton Medical Center personnel have a copy of this contingency plan.
- Newton Medical Center personnel have received a special briefing on the health hazards of "Waste Flammable Liquids", "Waste Naptha", "Waste Liquid Paint", "Waste Gasoline & Water", "Waste Antifreeze & Oil" for the treatment of exposure for each hazardous material.

\*Dr. Mark Hall (Telephone 327-2440)

- Dr. Mark Hall's office has received a special briefing on the health hazards of "Waste Flammable Liquids", "Waste Naptha", "Waste Liquid Paint", "Waste Gasoline & Water", "Waste Antifreeze & Oil" for the treatment of exposure for each hazardous material.

\*National Response Center (Telephone 800-424-8802)

- The National Response Center in Washington has been contacted to obtain guidance on notification procedures should a spill or rupture occur. Information needed for the National

Response Center includes the following:

- \*Name of reporter
- \*Company name
- \*Telephone number
- \*Specific location of discharge
- \*Time of discharge
- \*Body of water if appropriate
- \*Source of discharge
- \*Cause of discharge
- \*Operation in process during discharge
- \*Vehicle identification if appropriate
- \*Number of dead
- \*Number of injured
- \*Status of injured
- \*Property damage
- \*Quantity of discharge
- \*Quantity of discharge material reaching body of water
- \*Weather conditions
- \*What actions are being taken @ the scene to secure the discharge, contain the discharge & to recover the discharge
- \*What other agency has been notified
- \*Chemical name of discharge
- \*Characteristics of discharged material

7. Evacuation Plan

- \*The Hesston Police, Fire & Ambulance Departments will serve as an evacuation tool to remove all personnel from the building if the emergency coordinator determines necessary.
- \*The fire alarm will be used if there is a fire.
- \*All personnel are to exit to the nearest door not affected by the emergency.

\*All personnel are to remain outside the building until given the "all clear" to reenter by the emergency coordinator.

\*All personnel are to stay clear of the affected area so that emergency vehicles have access to the emergency situation.

#### 8. Required Reports

\*The emergency coordinator will notify E.P.A. Regional Administration and the State of Kansas Department of Health & Environment that the follow up actions have been implemented.

\*The emergency coordinator will note in the operating records the time, date & details of any incident that requires implementation of this contingency plan & will submit a report on the incident to the E.P.A. Regional Administrator accordance with 40 CFR 265.56 (j).

\*The emergency coordinator will revise this contingency plan in accordance with the experience required during each emergency situation & will send copies of the revisions to each holder of the original plan.

#### 9. Contingency Plan Holders

\*Paul Mullet, President  
Excel Industries, Inc.  
200 South Ridge Road  
Hesston, Kansas 67062  
Telephone: (316) 327-1115

\*Bob Mullet, Director of Finance & Human Resources  
Excel Industries, Inc.  
200 South Ridge Road  
Hesston, Kansas 67062  
Telephone: (316) 327-1148

\*Lelyn Peters, Facilities Manager  
Excel Industries, Inc.  
200 South Ridge Road  
Hesston, Kansas 67062  
Telephone: (316) 327-1211

\*Lelyn Peters, Fire Chief  
Hesston Fire Department  
115 East Smith  
Hesston, Kansas 67062  
Telephone: (316) 327-2221

\*Kurt Ford, Police Chief  
Hesston Police Department  
115 East Smith  
Hesston, Kansas 67062  
Telephone: (316) 327-2020

\*Russell Buller, Ambulance Chief  
Hesston Ambulance Department

115 East Smith  
Hesston, Kansas 67062  
Telephone: (316) 327-2221

\*Newton Medical Center  
600 Medical Center Drive  
Newton, Kansas 67114  
Telephone: (316) 283-2700

\*Dr. Mark Hall, Physician  
444 North Lancaster  
Hesston, Kansas 67062  
Telephone: (316) 327-2440

\*Lonnie Buller, Harvey County Emergency Management Coordinator  
Harvey County Courthouse  
Newton, Kansas 67114  
Telephone: (316) 283-6010

\*Richard Blouin, Maintenance Supervisor  
Excel Industries, Inc.  
200 South Ridge Road  
Hesston, Kansas 67062  
Telephone: (316) 327-1181

\*Owen Kaufman, Manager of Manufacturing  
Excel Industries, Inc.  
200 South Ridge Road  
Hesston, Kansas 67062  
Telephone: (316) 327-1120